

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	4:10CR3091
)	
V.)	
)	
TIMOTHY M. FELTON,)	MEMORANDUM
)	AND ORDER
Defendant.)	
_____)	

After careful review,

IT IS ORDERED that:

(1) The defendant's § 2255 motion (filing no. 159) under the *Johnson* case is denied for among reasons because the sentence(s) for the offense(s) of conviction were not based upon the statutory or Guidelines residual clause.

(2) The Federal Public Defender's Motion to Withdraw as Attorney (filing no. 164) is granted.

(3) Judgment will be entered by separate document.

(4) A certificate of appealability is denied.

Dated July 15, 2016.

BY THE COURT:

s/ *Richard G. Kopf*
Senior United States District Judge